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REPLY TO
ATTENTION OF
Planning, Programs and Project
Management Division

APR 03 2015

Christine Reichgott
Environmental Protection Agency - Region 10
1200 Sixth Avenue
Seattle, WA 98101

Dear Ms. Reichgott:

Thank you for taking the time to speak to members of the U.S. Army Corps of Engineers (Corps) staff yesterday, April 2, 2015. As was discussed, the Federal Columbia River Power System (FCRPS) 2014 Supplemental Biological Opinion (2014 BiOp) provides a reasonable and prudent alternative (RPA) that requires the Corps to develop a Double-crested Cormorant (DCCO) management plan. This RPA action sets forth a reduction in DCCO breeding pairs to a certain number by 2018. Through the National Environmental Policy Act (NEPA) process, the Corps analyzed alternatives and selected the alternative that will allow it to achieve the required 2014 BiOp objective by the end of the year 2018.

The Corps appreciates the comments the EPA provided on the Draft Environmental Impact Statement (DEIS) as well as the Final Environmental Impact Statement (FEIS). Specific responses to the EPA comments on the DEIS were included in Appendix J of the FEIS for your reference. The EPA's comments concerned information that was addressed in the DEIS, FEIS, the ROD, as well as in an email from Bob Winters, Corps, to Elaine Somers, EPA, dated 1:31 p.m. Mar. 25, 2015. However, in view of the continuing discussions with EPA staff, the Corps wants to ensure that the EPA comments are fully addressed. One of the EPA's main concerns was the Corps' ability to adjust the numbers of DCCOs culled or eggs oiled based on the results of its activities and trends in the East Sand Island population. The EPA suggested lethal take could be reduced if monitoring shows "that salmonid populations are trending toward a sustainable target level."

As was discussed in the FEIS (Adaptive Management Framework, Chapter 5 pages 12–19) adaptive management is a key component of implementing the DCCO management plan. Adjusting the amount of DCCO culled or eggs oiled will be determined based on observed DCCO abundances both on East Sand Island and within the western population, as well as behavioral responses of DCCO and non-target species after implementation. And, while "salmonid populations trending toward a sustainable target level" might be a potential measure of the effectiveness of the overall program, it is not an appropriate measure of the effectiveness of the depredation program which is more narrowly focused on reducing DCCO predation on juvenile salmonids. Nor would such trends be available after the first year of the project, given the salmonids' multi-year life cycle.

Regarding the EPA's concern about adjusting the level of take after implementation, as addressed in the FEIS, the Corps must apply to the U.S. Fish and Wildlife Service (USFWS) annually for a depredation permit. The USFWS will consider results from a comprehensive monitoring strategy implemented under Corps oversight (see Pacific Flyway Council Monitoring Strategy at http://pacificflyway.gov/Documents/Dcc_strategy.pdf and FEIS Chapter 5 pages 14–19) to provide an

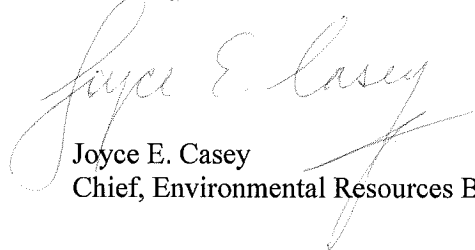
approach that allows for achievement of the East Sand Island colony size objectives within the context of measures to ensure the conservation of the western population of DCCOs. Under this approach, take could decrease or cease altogether if observed abundance of the western population is lower than predictions made in the DCCO population model in the FEIS (Appendix E-2, Chapter 5 Table 5-3 pages 17-18).

As we discussed on our call, some of the other actions that the EPA proposes as alternatives to the chosen management plan are outside of the Corps' authority. For example, the EPA suggests that the Corps "[c]onsider restrictions (new or additional) on recreational, non-tribal steelhead fisheries" The Corps is not authorized and does not have the expertise or the means to effectuate this suggestion. Other suggestions from the EPA would not achieve the specific objective of 2014 BiOp RPA objectives.

The Corps appreciates the opportunity to provide clarification on matters of interest to EPA. We hope this response adequately addresses your concerns to such a degree that the EPA considers the FEIS to contain sufficient information and finds that the adaptive management framework that is integral to the selected alternative is a reasonable approach for implementing this RPA action under the FCRPS 2014 BiOp.

If you have any questions regarding this letter, please contact me at 503-808-4760; email at Joyce.E.Casey@usace.army.mil.

Sincerely,



Joyce E. Casey
Chief, Environmental Resources Branch